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Comments:

Attorney Docket:

220002066000

Group Art Unit:

1636

Examiner:

S. Kaushal

Serial No.:

09/954,571

Filing Date:

September 11, 2001

Inventor(s):

Kenneth CHIEN et al.

Title:

METHODS FOR CARDIAC GENE TRANSFER (AMENDED)

Papers attached:

- 1. Transmittal (1 page)
- 2. Fee Transmittal (1 page + duplicate)
- 3. Petition for 1 Month Extension of Time Under 37 CFR 1.136(a) (1 page)
- 4. Preliminary Amendment and Response to Restriction Requirement (15 pages)

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Printed name	Gregory P. Einhorn				
Date	February 28, 2005		Reg	3. No.	38,440

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Signature	Registration No. 38 A40 Telephone						(858) 720-5133				
Name (Print/Type) G	regory P. Einho				Date	February 2	8, 2005				

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nature: Normanie

Docket No.: 220002066000/

UC 94-161-9 (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Kenneth CHIEN et al.

Application No.: 09/954,571

Confirmation No.: 7236

Filed: September 11, 2001

Art Unit: 1636

For: METHODS FOR CARDIAC GENE

TRANSFER (AMENDED)

Examiner: Sumesh Kaushal, Ph.D.

PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Responsive to the second Election/Restriction Requirement mailed December 28, 2004, Applicants respectfully request entry of the amendment and consideration of the remarks set forth herein. A response to the Office Action was originally due January 28, 2005. Applicants submit herewith a Petition for Extension of Time to extend the time to reply to this Office Action for one month to February 28, 2005. Accordingly, this Response is timely filed.

Amendment to the claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.

The following documents are enclosed herewith:

- Transmittal letter, Fee Transmittal, Petition to Extend Time, Facsimile cover sheet.

sd-246709